

# BULLETIN OF BOARD NEWS AND ENFORCEMENT ACTIONS

#29, Spring 2001



[www.dca.ca.gov/pels](http://www.dca.ca.gov/pels)

## Signing and Stamping Engineering Documents

By: Board Member Gregg Brandow, S.E.

The recent amendments to Sections 6735, 6735.3, and 6735.4 of the Professional Engineers Act are intended to clarify when civil (including structural and soils/geotechnical), electrical, and mechanical engineering plans, drawings, calculations, and reports need to bear the signature and seal or stamp ("stamp") of the licensed engineer in responsible charge or when just the name and license number are appropriate. Previously, these sections required all engineering documents to be signed by the licensed engineer in responsible charge and required final documents to also be stamped. Requiring interim or draft documents to be signed was confusing to consumers and often caused interim documents to be misused as final documents. The changes to these sections, which became effective on January 1, 2001, are intended to clarify the use of the stamp and signature and to ensure that the consumers and reviewing agencies know who is the licensed engineer in responsible charge of the work.

### Sign and Stamp Final Documents

Only final documents – those which have been permitted or released for construction – are now required to be signed and stamped and must include the date on which they are signed and stamped. The presence of the responsible charge engineer's signature and stamp and date of signing is intended to represent that these documents have been completed, reviewed, permitted, or are ready to be released for construction. The consumer, the reviewing agencies, and the general public, when seeing that the documents contain the signature and stamp, should have confidence that the documents are complete.

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Editor: Cady Davis

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(916) 263-0937

## ENFORCEMENT OUTREACH NEWS

*The Board offers Enforcement Outreach meetings on an ongoing basis. Mariann Fagunes, the Enforcement Outreach Coordinator, is available to schedule these meetings throughout the state to discuss enforcement of the Professional Engineers Act and the Professional Land Surveyors Act. Counties, Caltrans, cities, and local chapters of the various professional societies and associations have been some of the groups in attendance at previous meetings. Ms. Fagunes also provides and participates in detailed discussions concerning the complaint process, monument preservation requirements, restricted titles, notice of licensure, and any other questions that surface during these meetings. Ms. Fagunes encourages the question and answer method throughout her meetings.*

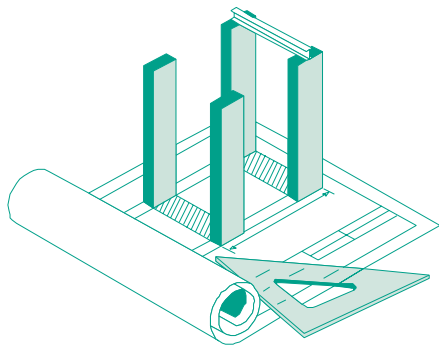
*Enforcement Outreach meetings have been successful in opening lines of communication between the Board and local government agencies, licensees, and professional associations. The enforcement unit has received more telephone calls and enforcement cases as a result of these outreach meetings. If you would like Ms. Fagunes to give a presentation on the new law changes or the enforcement process, you may contact her via telephone at (916) 263-2233 or via e-mail at [mariann\\_fagunes@dca.ca.gov](mailto:mariann_fagunes@dca.ca.gov).*

# DIGITAL SIGNATURES

## “ELECTRONICALLY-GENERATED SEALS AND SIGNATURES ARE OK”

Ever since the Fall 2000 Bulletin (#28) was published, the Enforcement unit has thought about making that headline their standard telephone greeting – all because one of the most important paragraphs was not included in the article about the amendments to Board Rule 411.

In the Enforcement Unit, the analysts can always tell when the Bulletin has been mailed out because the volume of phone calls received increases dramatically. (Not that that's a bad thing – it's actually great because it means you're reading our articles and want even more information.)



Usually, the questions the Enforcement Unit receives vary from call to call, “Do I need to file an Organization Record?” “How can I find out more about these disciplinary actions?” “How do I become an expert for the Board?” On the contrary, just after the bulletin was mailed, a very large percentage of total telephone calls received by the unit asked the same question, “Are electronically-generated seals and signatures now prohibited?”

At first, it was unclear exactly why so many licensees were asking this question. Then, after reviewing the article to gain some insight, it was discovered that it wasn't what the article said, but what it didn't say. Somehow, one of the main points of the article was left out. To resolve this matter, the Enforcement Unit is publishing this one paragraph to help explain the Board's position on electronic and digital signatures:

**-Electronically-generated seals are now specifically mentioned as an acceptable form of the professional seal. Although Board Rule 411 does not specifically address electronically-generated signatures, federal and state laws do allow the use of such signatures. Electronically-generated seals and signatures include those affixed to documents through the use of CAD programs and digital methods.**

## E-MAIL NOTIFICATION OF BOARD NEWS

*If you'd like to be notified when this newsletter is available on the Board's website (it's posted there before the print copies are mailed) rather than receive a print copy in the mail, please go to the Publications section of the Board's website and use the form there to submit your e-mail address.*

*You will be notified when the next newsletter is posted and may also receive notices from the Board.*

*Starting with Bulletin 27, the Bulletin has been available on-line. Although the online newsletter looks like the print version, it has interactive links both in the table of contents and in the text to items referenced in the text.*

*If you still wish to have a print copy, but would like to see the newsletter online before you get a copy in the mail, check the website in late Spring and again in early Winter. The Bulletin should be on line by then.*

A topic for discussion at future Board meetings will be the use of electronic, including digital, signatures. Board members will be revisiting and discussing the state and federal laws concerning electronic (digital) signatures and how these laws may affect Professional Engineers and Professional Land Surveyors.

If you would like to be in the know about the happenings of the Board Meetings, please be sure to read the Board Meeting Minutes. They are posted after they are approved, which is usually a month after the Board meeting. You are also welcome to attend the Board Meetings.

Minutes of the Board meetings may be downloaded from our Web Site, <http://www.dca.c.gov/pels>

If you have any questions, please contact Nancy Eissler at (916) 263-2241. ♦

# NEW BOARD RULES ADOPTED

Effective March 20, 2001, Board Rule 442 was amended to more specifically describe actions that are considered examination subversion. The amendments also describe what actions the Board can take against individuals who subvert the examinations. The following is the actual language:

## **442. Examination Subversion.**

- (a) Examination subversion is the use of any means to alter the results of an examination to cause the results to inaccurately represent the competency of an examinee. Examination subversion includes, but is not limited to:
- (1) Communication between examinees inside of the examination room.
  - (2) Giving or receiving any unauthorized assistance on the examination while an examination is in progress.
  - (3) Having any unauthorized printed or written matter or other devices in his or her possession which might serve to aid the examinee on the examination.
  - (4) Obtaining, using, buying, selling, distributing, having possession of, or having unauthorized access to secured examination questions or other secured examination material prior to, during or after the administration of the examination.
  - (5) Copying another examinee's answers or looking at another examinee's materials while an examination is in progress.
  - (6) Permitting anyone to copy answers to the examination.
  - (7) Removing any secured examination materials from the examination facility.
  - (8) Allowing another person to take the examination in the examinee's place.
  - (9) Placing any identifying mark upon his or her examination papers other than his or her identification number or other identifiers as directed by the examination administrator.
  - (10) Use by an examinee of any written material, audio material, video material, digital material, or any other mechanism not specifically authorized during the examination for the purpose of assisting an examinee in the examination.
  - (11) Writing on anything other than designated examination material.
  - (12) Writing or erasing anything after time is called.
- (b) At the discretion of the Executive Officer, if there is evidence of examination subversion by an examinee prior to, during, or after the administration of the examination, one or more of the following may occur:
- (1) The examinee may be denied the privilege of taking the examination if examination subversion is detected before the administration of the examination.
  - (2) If the examination subversion detected has not yet compromised the integrity of the examination, such steps as are necessary to prevent further examination subversion shall be taken, and the examinee may be permitted to continue with the examination.
  - (3) The examinee may be requested to leave the examination facility if examination subversion is detected during the examination.
  - (4) The examinee may be requested to submit written advisement of his or her intent to comply with and understanding of the law.
  - (5) The examination results may be voided and the application fee forfeited.
  - (6) The examinee may not be allowed to sit for an examination for up to three (3) years.
- (c) If examination subversion is detected after the administration of the examination, the Executive Officer shall make appropriate inquiry to determine the facts concerning the examination subversion and may take any of the actions as described in subdivision (b).
- (d) The Executive Officer reserves the right not to release the examination results to the examinee pending the outcome of any investigation of examination subversion.
- (e) Removal from or voidance of one part of a multiple-part examination taken during a single examination administration shall constitute removal from or voidance of all other parts of the multiple-part examination. ♦

**Board Rule 407** has been amended, effective April 14, 2001, to set the fee for a retired license at \$87.50.

The 2000, PE Act and LS Act, Sections 6762.5 and 8747.5 respectfully, allow the Board to issue retired licenses. However, before the Board could begin issuing retired licenses, the license fee had to be specified in the Board Rules.

Sections 6762.5 and 8747.5 allow for the issuance of a retired license, upon application and payment of the fee, to any licensee who 1) has been licensed by this Board for a minimum of 5 years, 2) has been licensed anywhere within the United States and its territories for a minimum of 20 years (including the minimum 5 years in California), and 3) holds a license that is not suspended, revoked, surrendered, or otherwise disciplined or pending disciplinary action by the Board.

These sections also prohibit a licensee from being able to perform, or offer to perform, any engineering or surveying services. Licenses are also prohibited from offering any consulting services. Lastly, the only way to restore a license from a retired license back to an active status is to take the professional examination again.

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There is a one time, lifetime fee of \$87.50 for each retired license. To receive a retired license, one must submit the application form and fee to the board. Forms are available by calling the board office or using a downloaded form available at the board's website at <http://www.dca.ca.gov/pels>.

If you meet the requirements in Sections 6762.5 and 8747.5, you can convert a delinquent license to a retired status **without** paying any penalty fees. This retired status will allow the licensee to continue receiving all regular mailings from the Board and to legally use the titles "retired professional engineer," "professional engineer, retired," or either of those titles with the branch designation inserted for the word "professional" (for example, "retired civil engineer" or "civil engineer, retired,") or the titles "retired professional land surveyor" or "professional land surveyor, retired."

#### 407. Fees.

(a) All fees required by provisions of the code as implemented by the Board shall be transmitted by money order, bank draft or check, payable to the Department of Consumer Affairs, at Sacramento.

(b) The following is the prescribed application fee for:

(1) Authority to use the title "structural engineer"	\$175
(2) Authority to use the title "geotechnical engineer"	\$175
(3) Licensure as a professional engineer	\$175
(4) Licensure as a professional land surveyor	\$175
(5) Certification as an engineer-in-training or as a land surveyor-in-training	\$ 60

(c) The four-year renewal fee for licensing periods starting on or after July 1, 1990, shall be \$160.

(d) The fee for an examination appeal filed pursuant to Rule 444 shall be \$134.00.

(e) The fee for each retired license shall be \$87.50; no renewal fee or other fee shall be charged for the retired license. (As used in this subdivision, "license" includes certificate of registration or license as a professional engineer, licensure as a professional land surveyor, and certificates of authority to use the titles "structural engineer," "geotechnical engineer," "soil engineer," "soils engineer," or "consulting engineer.")

(f) Fees required under provisions of this rule transmitted through the United States mail shall be deemed filed on the date shown by the post office cancellation mark stamped on the envelope containing it, or on the date mailed if satisfactory proof is made that mailing occurred on an earlier date.

(g) Renewal applications filed with the Board more than thirty (30) days after 12 midnight on the expiration date pursuant to the Professional Land Surveyors' and more than sixty (60) days after 12 midnight on the expiration date pursuant to the Professional Engineers and not accompanied by the prescribed delinquent penalty fee equal to 50 percent of the renewal fee; shall be returned by the executive officer with a statement of the reason therefor.

(h) Refund of fees submitted to the Board shall be made only as follows

- (1) Any application fees or penalties imposed and collected illegally, by mistake, inadvertence, or error shall be refunded in full.
- (2) An applicant for licensure as a professional engineer, for licensure as a professional land surveyor, for permission to use the title "structural engineer" or "geotechnical engineer," for certification as an engineer-in-training or for certification as a land surveyor-in-training found not eligible for admission to the examination requested is entitled to a refund of one-half of the application fee. Upon request, one-half of the application fee shall be refunded to the estate of an applicant who dies prior to taking an examination. ♦

### INFORMATION ON BOARD LICENSEES

*Current information on Board licensees, including information on disciplinary actions, is available at [www.dca.ca.gov/pels](http://www.dca.ca.gov/pels) -- You can search for information by license number, name, city, or county. The license lookup site indicates if there has been a disciplinary action and gives the details of any actions. There is also an on-line list of Civil Engineers and Land Surveyors who were licensed before 1982. These lists are useful for anyone who locates a monument with a license number to find the name of the surveyor or civil engineer who set the monument. Most public libraries provide Internet access to the public for a small fee. Licenses can also be verified by telephoning the Board at (916) 263-2222.*

*The 1998 Professional Engineers and Professional Land Surveyors Roster includes licensee information as of March 31, 1998. Disciplinary actions are not included. It may be ordered from: Department of General Services Publications Section, P. O. Box 1015, North Highlands, CA 95660. Include order # 7540-957-1100-0 and a check or money order for \$50.00 (includes shipping and handling) payable to: Procurement Publications. Shipping delivery is not made to post office boxes; you must include your street address. If you have any questions, call (916) 928-4630.*

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### **Name, License Number, and Notation Required on Interim Documents**

Interim documents (such as drafts, preliminary drawings, building department review documents, or other work-in-progress documents) must now *only* include the name and license number of the licensed engineer in responsible charge. Since these documents may be incomplete, may not have been reviewed by governing agencies, and may not be ready for construction, they do not have to be signed and stamped and will not be confused with final documents. These interim documents must also include a notation indicating their status, such as “preliminary” or “for plan check only” or “not for construction.” Engineers may place their stamp – without their signature – on interim documents to satisfy the requirement of including their name

and license number. By not signing these interim documents and by including the notation of their status, they cannot be misused as final documents.

### **Building Department and Reviewing Agency Submittals**

Building departments and other reviewing/governing agencies must accept the engineering documents for plan check/review with only the responsible charge engineer’s name and license number and notation of the status; they cannot require the responsible charge engineer to sign the interim or “for review only” documents. Even though the plan check/review submittals are not signed, the licensed engineer is still responsible for ensuring that the plans are complete enough for plan check and supporting calculations have been completed are submitted with the plans. Since it is common for final

project coordination to occur at the same time that the plan check is occurring, some revisions to the plans may occur in addition to those resulting from the plan check process. After the engineering documents have been reviewed and corrections and other revisions have been made, the final documents that are to be permitted must be signed and stamped.

If the building departments or reviewing agencies question why the documents submitted for review are not signed, you can provide them with a copy of the amended sections of the law or refer them to the Board’s Enforcement Unit. The actual language of Business and Professions Code sections 6735, 6735.3, and 6735.4 are available on the Board’s website under the menu item “Laws & Regulations” or in the 2001 law book [see below for ordering information]. ♦



### **NEW LAW PUBLICATION**

*Copies of the 2001 edition of the Handbook of Laws and Rules have been mailed to the many engineers and land surveyors who requested them. Board members voted that each licensee is entitled to a free copy of the publication. (The cost to non-licensees is \$5.)*

*There is still time to request a copy but you must use the form to the right, or you may submit a request by e-mail to [bpels\\_office@dca.ca.gov](mailto:bpels_office@dca.ca.gov). Be sure to include all the information requested on the form shown with this article. Only written requests will be honored; please do not telephone to request the publication.*

**To:** The Board for Professional Engineers and Land Surveyors, 2535 Capitol Oaks Dr., Ste. 300, Sacramento CA 95833.

Please send a copy of the Board’s **2001 Handbook of Laws and Rules** to the address below.

You *must* include your license/registration number. Non-licensees must enclose a check for \$5 payable to: Department of Consumer Affairs.

Name

Registration Number

Street Address

Street Address (cont.)

City

State

Zip Code

# AMENDMENTS AFFECTING LAND SURVEYING

The purpose of this article is to provide basic information concerning some of the amendments to the Land Surveyors Act last year. The new laws became effective on January 1, 2001. Some of these items were presented in our last Fall 2000 Bulletin, Number 28.

Chapter 678, Statutes of 2000, amended the language stated in Business and Professions Code (B&P) Sections 8741(a), 8762 and 8773.2. Pertinent portions of these amendments are as follows:

B&P Section 8741(a), as amended, now requires that the Board shall prescribe by regulation reasonable educational or experience requirements for admission to the LSIT examination. These requirements include 2 years of postsecondary education in land surveying, 2 years of experience in land surveying, or a combination of one year of postsecondary education and one year of experience in land surveying.

B&P Section 8741(a), as amended, now requires the county recorder to provide the preparer of the map with the filing data within 10 days of the filing of the map.

B&P Section 8773.2, as amended, requires the preparer of a corner record to supply the county surveyor with a postage-paid, self addressed envelope, or postcard with the filing of the corner record. The county surveyor shall provide the preparer of the corner record with the filing data within 20 days of the filing date. This does not apply to a county surveyor's office that

## BOARD WEBSITE NEWS

*The Board received a memorandum from the Office of the Governor requesting that the Board's website be modified to share the same look and feel of the State's website, <http://www.ca.gov>.*

*The Board has also received many requests from examination applicants to make the examination portion of the Board's website more user friendly. We have proposed a layout that includes two different sections. One section will be designed specifically for applicants. The other section will be designed specifically for examinees. The area for applicants will include applications, final filing dates, examination sites, plain language pamphlets, and other materials pertaining to those who are in the application stage of taking the examinations given by the Board. The area for examinees will include examination instructions, examination test plans, examination information booklets, and other publications that will be helpful to those who have already been confirmed to take the examination.*

maintains an electronic data base of filed corner records that is accessible to the public by reference to the preparer's license number.

Chapter 1006, Statutes of 2000, amended the language stated in Business and Professions Code (B&P) Sections 8741.1, 8747, 8751, 8753, 8780.1 and 8792. Pertinent portions of these amendments are as follows:

B&P Section 8741.1, as amended, now requires the second division of the examination for licensure as a land surveyor to include an examination that incorporates a national examination for land surveying by a nationally recognized entity approved by the Board, and a supplemental California specific examination. The California specific examination shall test the applicant's knowledge of the provisions of the Land Surveyors Act and the Board's rules and regulations regulating the practice of professional

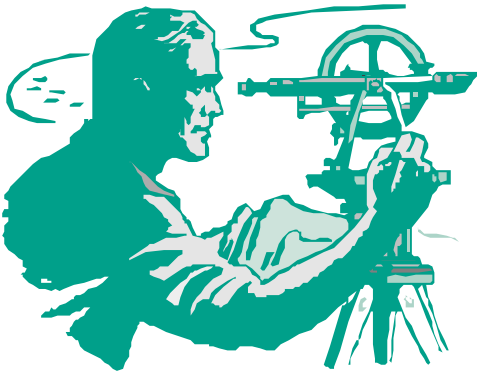
land surveying in the state of California. The Board shall begin using the national examination on or before April 1, 2003. In the meantime, the Board may continue to provide the current state-only second division examination and administer the test on the provisions of the Land Surveyors Act and board rules as a separate part of the second division examination for licensure as a land surveyor.

B&P Section 8747, as amended, now states that a land surveyor-in training certificate becomes invalid upon the person holding such a certificate passing the second division of the examination and being issued a license as a land surveyor. It also states that no person shall use the title of land surveyor-in-training, or any abbreviation of this title, unless he or she is the holder of a valid land surveyor-in training certificate.

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B&P Section 8751, as amended, now prohibits any abbreviation, or combination of the title, “land surveyor” as well as other specified titles. It also adds the title “professional land surveyor” to the list of protected titles.

B&P Section 8753, as amended, makes various changes to temporary authorizations to practice land surveying. Among other things, the time period has been extended up to a period not to exceed 180 days.



B&P Section 8780.1, as amended, allows the Board to take disciplinary actions against holders of land surveyor-in-training certificates.

B&P Section 8792, as amended, adds additional language clarifying and adding types of acts that persons may be found guilty of a misdemeanor.

Chapter 1054, Statutes of 2000, amended the language stated in Business and Professions Code, Sections 8761 and 8771. Pertinent portions of these amendments are as follows:

B&P Section 8761, as amended, removed the requirement that every map, or plat issued by a land surveyor or registered civil engineer shall show the bearing and length of lines, scale of map and north arrow, the name and legal designation of the property depicted, and the date or time period of the preparation of the map or plat.

The amendments also added that it is unlawful for any person to stamp or seal any map, plat, report, description, or other document with the seal after the certificate of the licensee that is named on the seal has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

B&P Section 8771, as amended, added “maintained,” “and “resurfaced” to the types of situations requiring the perpetuation of monuments. Also, if any monument could be destroyed, damaged, covered, or otherwise obliterated, the monuments shall be reset in the surface of the new construction, a suitable monument box placed thereon, or permanent witness monuments be set to perpetuate their location. It also clarified that the decision to file either a corner record or record of survey is relative only to subdivision (b) of B&P Section 8771, not any other section of the Land Surveyors Act.

The Office of Administrative Law also approved amendments to the California Code of Regulations amending Section 424 and adopting 425 regarding experience requirements for the professional land surveyor examination this year. These regulations were adopted pursuant to B&P Section 8742 that required applicants to possess broad-based progressive experience in land surveying to be eligible to sit for the land surveyor examination. These amendments separated engineering experience from land surveying experience. They also provide examples of the types of training and experience an applicant can use to meet the eligibility requirements. ♦

## MISSION STATEMENT AMENDED IN 2001

*The Mission of the Board for Professional Engineers and Land Surveyors is to safeguard the life, health, property, and welfare of the public by regulating the practice of professional engineering and land surveying. The Board accomplishes its Mission by:*

- *Licensing qualified individuals as professional engineers and land surveyors.*
- *Anticipating changes in the engineering and land surveying professions to ensure that the laws and regulations are contemporary, relevant, and responsive.*
- *Establishing regulations and promoting professional conduct.*
- *Enforcing laws and regulations.*
- *Providing information so that the public can make informed decisions regarding utilizing professional engineering and land surveying services.*



# BOARD INFORMATION

## INTERNET PUBLICATION OF NAMES AND ADDRESSES

The Board has been receiving numerous inquiries as to why licensee's home addresses are available via the Board's website. State law (Business and Professions Code, Section 27) requires disclosure of the address of record for almost all DCA licensees. You can read the section by going to <http://www.leginfo.ca.gov>. If you use your home address as your address of record, it is accessible to the public on request by mail, e-mail or telephone, and on the Internet in the license lookup feature.

You may change your address of record to your business address or to a post office box by filing a Change of Address Form with the Board. The form is available on the website or you may request one be mailed to you by calling the Board at (916) 263-2222. Forms must be signed and so can only be submitted by mail or fax.

It is not possible for the Board to maintain separate lists for mailing and public disclosure purposes. The Board will mail all renewal, newsletter, etc. information to your address of record.

The Board included this information in articles in the Bulletin explaining that the address of record would be on the Internet and directions explaining how to change the address of record. Unfortunately, recently licensed engineers and surveyors did not receive those newsletters. We now notify applicants directly on the application form. ♦

## VISION STATEMENT AMENDED IN 2001

*The Board for Professional Engineers and Land Surveyors will have a major role in ensuring that Professional Engineers and Land Surveyors provide the highest quality professional services.*

- *Consumers and licensees will have access to comprehensive information through a wide range of technology and facilities.*
- *California Professional Engineers and Land Surveyors will possess the knowledge, skills, and abilities enabling them to meet the expectations of clients and consumers.*
- *The public will have a high degree of confidence in the engineering and land surveying of roads, bridges, buildings, other facilities and systems.*

## BOARD MEETING SCHEDULE 2001

### July 26 & 27, 2001

The Westin Los Angeles Airport  
5400 West Century Blvd.  
Los Angeles, CA 90045  
(310) 216-5858

### September 6 & 7, 2001

DoubleTree Hotel  
835 Airport Blvd.  
San Francisco, CA 94010  
(650) 344-5500

### October 18 & 19, 2001

Casa Munras Garden Hotel  
700 Munras Ave.  
Monterey, CA 93940  
(831) 375-2411

### December 13 & 14, 2001

Sacramento Board Office  
2535 Capitol Oaks Drive, Ste. 300  
Sacramento, CA 95833  
(916) 263-2222

### January 24 & 25, 2002

Airtel Plaza Hotel  
7277 Valjean Avenue  
Van Nuys, CA 91406  
(818) 997-7676

### March 7 & 8, 2002

San Francisco Area

### April 25 & 26, 2002

San Diego Area

### June 13 & 14, 2002

Sacramento Board Office  
2535 Capitol Oaks Drive, Ste. 300  
Sacramento, CA 95833  
(916) 263-2222

**Agendas are posted at  
[www.dca.ca.gov/pels](http://www.dca.ca.gov/pels) at least ten  
days before each meeting.**

**NOTE:** Sites are dependent upon approval from the Department of Consumer Affairs. For more information, contact Cindy Morris-Hoppe at (916) 263-2274.

# EXAMINATION SCHEDULE

## Examination Date Final Postmark Date for Filing Engineer-in-Training (EIT/FE) and Land Surveyor-in-Training (LSIT/FLS)

October 27, 2001	(Saturday)	September 7, 2001	(Friday)
April 20, 2002	(Saturday)	February 15, 2002	(Friday)
October 26, 2002	(Saturday)	September 6, 2002	(Friday)
April 12, 2003	(Saturday)	February 14, 2003	(Friday)
October 25, 2003	(Saturday)	September 5, 2003	(Friday)
April 17, 2004	(Saturday)	February 13, 2004	(Friday)
October 30, 2004	(Saturday)	September 3, 2004	(Friday)

## Special Civil/Seismic Principles and Engineering Surveying

October 27, 2001	(Saturday)	July 20, 2001	(Friday)
April 20, 2002	(Saturday)	January 4, 2002	(Friday)
October 26, 2002	(Saturday)	July 19, 2002	(Friday)
April 12, 2003	(Saturday)	January 3, 2003	(Friday)
October 25, 2003	(Saturday)	July 25, 2003	(Friday)
April 17, 2004	(Saturday)	January 2, 2004	(Friday)
October 30, 2004	(Saturday)	July 23, 2004	(Friday)

## Chemical, Civil, Electrical, and Mechanical

October 26, 2001	(Friday)	July 20, 2001	(Friday)
April 19, 2002	(Friday)	January 4, 2002	(Friday)
October 25, 2002	(Friday)	July 19, 2002	(Friday)
April 11, 2003	(Friday)	January 3, 2003	(Friday)
October 24, 2003	(Friday)	July 25, 2003	(Friday)
April 16, 2004	(Friday)	January 2, 2004	(Friday)
October 29, 2004	(Friday)	July 23, 2004	(Friday)

## Agricultural, Control Systems, Fire Protection, Geotechnical, Industrial, Manufacturing, Metallurgical, Nuclear, Petroleum, and Traffic

October 26, 2001	(Friday)	July 20, 2001	(Friday)
October 25, 2002	(Friday)	July 19, 2002	(Friday)
October 24, 2003	(Friday)	July 25, 2003	(Friday)
October 29, 2004	(Friday)	July 23, 2004	(Friday)

## Land Surveying

April 19, 2002	(Friday)	January 4, 2002	(Friday)
April 11, 2003	(Friday)	January 3, 2003	(Friday)
April 16, 2004	(Friday)	January 2, 2004	(Friday)

## Structural

October 26 & 27, 2001	(Fri/Sat)	July 20, 2001	(Friday)
October 25 & 26, 2002	(Fri/Sat)	July 19, 2002	(Friday)
October 24 & 25, 2003	(Fri/Sat)	July 25, 2003	(Friday)
October 29 & 30, 2004	(Fri/Sat)	July 23, 2004	(Friday)

### Exam Schedule Notes

The Board reserves the right to amend this schedule without advance notice. Civil applicants applying for comity (reciprocity) in California must comply with the final filing dates, as they are required by law to take and pass state-specific exams on seismic principles and engineering surveying. The Board does not allow extensions of the final filing dates pending notification of previous test results on EIT/LSIT exams.

# DID YOU KNOW?

By: Cindi Christenson, PE, Executive Officer

The Board operates a very successful, but limited, outreach program. It is always refreshing to speak to individuals on the outside of the Board. The benefits are twofold. Outreach keeps us abreast of current events outside the Board, while providing us with an opportunity to communicate events taking place inside the Board. However, we are not able to reach *everyone* through our outreach program. Therefore, I decided to provide information on why the Board exists, what the Board does, and who the Board is.

The California Legislature created the Board of Registration for Civil Engineers in 1929, following the failure of the Saint Francis Dam in northern Los Angeles County. The dam suddenly gave way at 11:58 p.m. on March 12, 1928. A monstrous wall of water cascaded down the narrow valley of the Santa Clara River. When the water hit the town of Santa Paula, almost 50 miles downstream from the dam, the crest was still 25 feet high. Approximately 450 lives were lost, almost as many as in San Francisco's 1906 great fire.

Professional Land Surveyors have been licensed in California since the legislature established a State Surveyor in 1891. Professional Land Surveyors were incorporated into the Board of Registration for Civil Engineers in 1933.

In an effort to describe the Board, I will outline some facts about it that you may find interesting. The Board:

- is comprised of 13 members: 7 public members; 5 professional engineers and 1 professional land

October 2000 Examination Statistics					
Discipline		# Tested	# Passed	% Passing	Cutscore
E-I-T (morning)		2215	922	41.6%	70 of 100
L-S-I-T		200	65	32.5%	91 of 170
Chemical		41	12	29.3%	46 of 80
Electrical		222	48	21.6%	48 of 80
Mechanical		265	110	41.5%	48 of 80
Civil	Princ. & Prac.	1936	687	35.5%	70 of 100
	Seismic	1979	779	39.3%	148 of 288
	Survey	1929	756	39.0%	152 of 275
Geotechnical		88	33	37.5%	397 of 953
Industrial		6	1	16.7%	40 of 80
Manufacturing		2	1	50%	38 of 80
Nuclear		2	2	100%	43 of 80
Petroleum		13	6	46.2%	42 of 80
Agriculture		2	0	0%	48 of 80
Fire Protection		28	8	28.6%	49 of 80
Control Systems		9	5	55.6%	42 of 80
Traffic		85	33	38.8%	72 of 114
Structural		226	51	22.6%	700 of 1408
Metallurgical		3	3	100.0%	48 of 80
Total Number of Exams Administered: 9,251					

surveyor. The Governor appoints 11 members, the Senate Pro Tem appoints one member, and the Assembly Speaker of the House appoints one member. Each member is appointed for a four-year term and may serve up to two full terms.

- operates on an annual budget, which, for fiscal year 2000/2001, is of \$6,979,118.
- is self-supporting through licensing renewal and application fees.
- has a staff of 39 employees.
- regulates 89,000 active licenses.
- administered 16,525 exams in fiscal year 1999/2000.

- opened 249 enforcement cases and closed 212 pending enforcement cases in fiscal year 1999/2000. (Cases do not necessarily close in the same fiscal year that they are opened. This is due in part to the complexity and technical nature of engineering and surveying as well as the time of year the case is opened.)
- implemented a retired license (see article on Page 5)
- operates an outreach program that extends to building officials, professional societies, and colleges. In addition, the Board is an active participant in forums specifically related to natural disasters. ♦

# ENFORCEMENT ACTIVITIES

**ALLEN, FREDRIC VERNON**  
**Civil Engineer C 20702**  
**Citation 5052-L**  
**Final: December 7, 2000**  
**Action: Order of Abatement,**  
**Administrative fine of \$500**

## CITATIONS

*Citations are an alternative way to enforce the laws prohibiting unlicensed practice of engineering or land surveying. Citations are also issued to licensed engineers and land surveyors when the severity of a violation may not warrant suspension or revocation of a professional's right to practice. When a fine is levied with a citation, payment of the fine represents satisfactory resolution of the matter. [Business & Professions Code section 125.9(d)] Certified copies of citation decisions are available from the Board's Enforcement Unit for ten cents per page plus a two dollar certification fee. Non-certified copies are free. Please include the subject's name and the citation number in your request. All requests must be made in writing.*



An investigation determined that Allen violated Business and Professions Code Sections 8780(c), 8762, 8763, and 8767 by failing to file a record of survey of a property located in San Mateo County. County records indicate that Allen originally submitted a record of survey in June of 1997 and was notified by the County that additional data was required. The County contacted Allen on several occasions in an attempt to complete the filing of this survey. The Board contacted Allen and advised that he needed to complete his survey and cause it to be recorded with San Mateo County. Allen did not complete the record of survey. The Board issued an order to Allen to file this record of survey and also assessed an administrative fine of \$500. In accordance with Section 125.9 (d) of the Business and Professions Code, payment of an administrative fine does not constitute admission of any violation(s) charged, but represents a satisfactory resolution of the matter.



### Disciplinary Terminology

***Final or Effective Date:** The date the disciplinary action takes effect.*

***Probation:** The licensee may continue to practice under specific terms and conditions.*

***Revocation or Revoked:** The license is cancelled and the right to practice is ended.*

***Stayed:** The revocation or suspension is delayed.*

***Suspension:** The licensee is prohibited from practicing for a specific period of time.*

***Voluntary Surrender/Surrender of License:** The licensee turns in the license to the Board. The right to practice is ended.*



Investigation revealed that Ronald Norton, of Houston Texas, used the restricted titles Professional Engineer and Electrical/Instrument Engineer on his resume, a violation of sections 6787 (f) and (h) of the Business and Professions Code. Norton was ordered to stop using the restricted titles and was assessed an administrative fine of \$500. Norton complied with the order of the citation on January 10, 2001. In accordance with Section 125.9 (d) of the Business and Professions Code, payment of an administrative fine does not constitute admission of any violation(s) charged, but represents a satisfactory resolution of the matter.



## DISCIPLINARY ACTIONS

*Administrative disciplinary actions are taken by the Board against licensees who are in violation of the Professional Engineers Act and/or the Professional Land Surveyors Act. Certified copies of these Board decisions may be obtained from the Board's Enforcement Unit at a charge of ten cents per page plus a two dollar certification fee. Non-certified copies are available at no charge. Please include the subject's name and the accusation number in your request. All requests must be made in writing.*

The Board issued a Decision and Order in which McCorkle stipulated to surrender his license. In addition, McCorkle agreed not to reapply for licensure as an engineer or surveyor in California for at least three years from the effective date of the surrender. McCorkle will have to meet all current requirements if he reapplies for licensure, including filing a current application, meeting all current education requirements, and taking and passing any and all written examinations required of new applicants.

Accusation 695-A alleged that Charles Patton McCorkle of San Francisco entered into a written contract with a consumer to perform necessary engineering required by the City of Napa, and compliance with the Building Department, so the consumer would gain approval by the City to obtain a permit for building a house. McCorkle signed and affixed his stamp to two separate sets of plans and submitted them to the City of Napa Building Department in order to obtain a permit for building the house. The plans were returned to McCorkle because they were insufficient for issuance of a building permit. The two sets of plans submitted to the City of Napa Building Department lacked necessary structural details for construction of the house. This allegedly constitutes negligence and incompetence. McCorkle admitted to the truth of the charges.



**NORTON, RONALD**  
**Unlicensed**  
**Citation 5055-U**  
**Final: December 30, 2000**  
**Action: Order of Abatement,**  
**Administrative fine of \$500**

**McCORKLE, CHARLES**  
**PATTON**  
**Civil Engineer C 26589**  
**Accusation 695-A**  
**Effective February 11, 2001:**  
**License voluntarily**  
**surrendered**

**SANDE,VASANT  
TURKARAM  
Civil Engineer C 32152  
Accusation 692-A  
Effective February 5, 2001:  
Revoked, revocation stayed;  
30-day actual suspension,  
three years on probation**

The Board has issued a Decision, adopting a stipulated settlement in which Sande agreed that he understands that the charges and allegations in Accusation 692-A constitute cause for imposing discipline upon his license and that he understands that signing the stipulation enables the Board to impose such disciplinary action. In 1996, Sande entered into a verbal contract with a consumer in the County of Orange, agreeing to make a lot line survey to determine if the on-going construction on the consumer's property was within the property boundaries. Sande surveyed the property and set stakes on the property directly adjacent to the channel to show the southwesterly boundary of the property, but did not set monuments or file a record of survey or corner record with the County of Orange concerning the establishment of the southwesterly property boundary. Sande also failed to obtain the correct legal description and the records cited in the legal description for the property. He failed to review the deeds and records of adjacent parcels, failed to perform additional research at the County Surveyor's Office for other Records of Survey, other recorded maps, and the County Surveyors tie books. He did not perform a property line survey consistent with industry standards. Sande also failed to file a Record of Survey after stating a Record of Survey was required following his survey.

The Board revoked Sande's civil engineer license. However, this revocation was stayed, and he was placed on probation for a period of three years under certain terms and conditions. One of these conditions was a 30-day actual suspension of his license. Additionally, within one year of the effective date of the decision, Sande was required to pay restitution to the consumer in the amount of \$2,000. In addition, Sande was required to reimburse the Board for the costs of the investigation in the amount of \$6,700 within two years of the effective date of the decision in this matter. Furthermore, Sande was required to successfully complete, within two years of the effective date of the decision, a college-level course, approved in advance by the Board or its designee, specifically related to the area of violation.



**SHELTON,ARTHUR LEE  
Mechanical Engineer M 27644;  
M 31444  
Accusation 701-A  
Effective January 12, 2001:  
60-day suspension, stayed, two  
years on probation**

Disciplinary action was taken against Arthur Lee Shelton for violations of Business and Professions Code, Sections 6775 (c) (e) and 6787 (c). The Board issued a Decision and Order adopting the stipulation settlement. Shelton admitted his Mechanical Engineer License No. 27644 expired, and became delinquent on September 30, 1995, due to nonpayment of renewal fees. Approximately January 1, 2000, Shelton again filed an Application For Licensure As A Professional Engineer with the Board. Shelton signed the new Application under penalty of perjury, attesting that the information submitted was true and correct, including that he had never before applied for a California license with the Board. Based on Shelton's submittal of the new application dated January 1, 2000, the Board granted Shelton a new Mechanical Engineer License No. M 31444.

Effective January 12, 2001, the Board conditionally reinstated, for a probationary period of two (2) years, Shelton's Mechanical Engineering License No. 27644 on condition that he surrender the newly issued Mechanical Engineer License No. M 31444. Shelton is also required to complete and pass a course in professional ethics and reimburse the Board \$636.00 for investigative and enforcement costs.



Disciplinary action was taken against Civil Engineer License C 27460, issued to William Chuan Shen. Shen entered into a contract to perform a survey and lot line adjustment and was paid \$950.00 by his clients for the work. Shen left the country before completing the project and did not notify his clients that he was leaving. Consequently, his clients had to contract with another licensed engineer to complete the work. Shen also failed to provide a legal description of the property. When Shen eventually provided his clients with a legal description, he billed them \$400.00 for it. Based on the contract in this matter, industry practice required a legal description as part of a survey and lot line adjustment and it was not an item which required an additional charge.

Effective January 12, 2001, Shen's license was suspended for 2 years, which was stayed. He was given probation for three years during which he was required to obey all laws; complete and pass the California Laws and Board Rules examination; pay restitution of \$950.00 to the clients; reimburse the Board \$3,500.00 for investigative and enforcement costs; and submit special reports to the Board upon request.



**SHEN, WILLIAM CHUAN**  
**Civil Engineer C 27460**  
**Accusation 677-A**  
**Effective January 12, 2001:**  
**2-year suspension, stayed,**  
**three years on probation**